

Customer No. 28596
Attorney Docket No. FL/140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zukor et al.) Group Art Unit: 3749
)
Serial No.: 10/693,371) Examiner: Jiping Lu
)
Filed: October 24, 2003) Conf. No.: 2596
)
For: Processing Cap Assembly for Isolating)
<u>Contents of a Container</u>)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

This is a reply to the Office Action mailed March 7, 2007 setting a three (3) month statutory period for response. Enclosed herewith is a Request for Extension of Time and the requisite fees.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

Amendments to the Claims

This listing of claims will replace all prior versions and listing of claims in the application.

Claims 1, 8, 15, 27, 31-33 have been amended.

Listing of Claims

1. (Currently amended) A removable processing cap assembly comprising:
a cap having a top and a bottom, said cap comprising a housing with a sealing perimeter at the top of the cap adjoined to a conformable section, said conformable section having an internal recess for engaging with a stopper and for sealing around a container opening, [[and]] said cap forms a vapor path opening for vapor passage between the container and an external atmosphere;
a venting media oriented in said vapor path and attached to the sealing perimeter at the top of the cap forming a barrier isolating the container from the external atmosphere;
a stopper seated in a first position within the processing cap adjacent the recess, said first position allowing passage of vapor between the container opening and the external atmosphere;
said stopper being movable to a second position in the container to close the container opening and prevent the passage of vapor
wherein said cap and venting media are able to be removed from the stoppered container.
2. (Original) The cap assembly of claim 1, wherein said cap is hermetically sealed to said container.
3. (Original) The cap assembly of claim 1, wherein said cap comprises a single material.
4. (Original) The cap assembly of claim 1, wherein said cap comprises at least two components.
5. (Original) The cap assembly of claim 4, wherein said cap assembly comprises a rigid section and a conformable section.
6. (Original) The cap assembly of claim 1, wherein said venting media comprises a hydrophobic material.

7. (Previously presented) The cap assembly of claim 1, wherein said venting media comprises expanded polytetrafluoroethylene.

8. (Currently amended) A cap assembly for the isolation of contents in a stoppered container comprising:

a cap having a top and a bottom, said cap comprising [(a)] a housing having a sealing perimeter at the top of the cap adjoined to a conformable section with an interior recess adapted for sealing around an exterior opening of a container and for ~~maintaining~~ surrounding a stopper in the recess over the container, said cap forms and ~~(b)~~ a vapor path opening for vapor passage between the container and an external atmosphere; and

a venting media oriented in said vapor path and external to said container opening forming a barrier isolating the container from the external atmosphere,

said cap assembly being adapted for maintaining the stopper in a first position which allows passage of vapor between said container and the external atmosphere and moving said stopper to a second position to close the container and prevent the passage of vapor, wherein the cap and venting media are further removable from the closed container.

9. (Original) The cap assembly of claim 8, wherein said cap is hermetically sealed to said container.

10. (Original) The cap assembly of claim 8, wherein said cap comprises a single material.

11. (Original) The cap assembly of claim 8, wherein said cap comprises at least two components.

12. (Original) The cap assembly of claim 11, wherein said cap assembly comprises a rigid section and a conformable section.

13. (Original) The cap assembly of claim 8, wherein said venting media comprises a hydrophobic material.

14. (Previously presented) The cap assembly of claim 8, wherein said venting media comprises expanded polytetrafluoroethylene.

15. (Currently amended) A cap assembly for the isolation of contents of at least one vial located in a container, comprising

a removable cover having a top with a sealing perimeter and a bottom with ~~[[a]]~~ a recess for sealing to the container and for maintaining at least one stopper over the at least one vial located in the container, and ~~[[b]]~~ a vapor path opening for vapor passage between the at least one vial in the container and an external atmosphere;

a venting media attached to the ~~[[cap]]~~ sealing perimeter of the removable cover top and oriented in said vapor path forming a barrier isolating the container and the at least one vial located therein from the external atmosphere;

said cap assembly being adapted for maintaining the at least one stopper in a first position which allows passage of vapor between said at least one vial and the external atmosphere and moving said at least one stopper to a second position in the at least one vial to close the vapor path and prevent the passage of vapor resulting in a sealed vial prior to removal of said cover.

16. (Original) The cap assembly of claim 15, wherein said cap is hermetically sealed to said container.

17. (Original) The cap assembly of claim 15, wherein said cap comprises a single material.

18. (Original) The cap assembly of claim 15, wherein said cap comprises at least two components.

19. (Original) The cap assembly of claim 18, wherein said cap assembly comprises a rigid section and a conformable section.

20. (Original) The cap assembly of claim 15, wherein said venting media comprises a hydrophobic material.

21. (Original) The cap assembly of claim 15, wherein said venting media comprises expanded PTFE.

22. (Withdrawn) A method for isolating and processing contents in a container comprising:

providing a removable cap assembly comprising (1) a cap having (a) a recess adapted for sealing to a container and for maintaining a stopper over the container, and (b) a vapor path opening for vapor passage between the container and an external atmosphere; and (2) a venting media attached to the cap and oriented in said vapor path forming a barrier for isolating the container from the external atmosphere, said cap assembly being adapted for maintaining the stopper in a first position which allows passage of vapor between said container and the external atmosphere and moving said stopper to a second position to close the container and prevent the passage of vapor;

sealing said cap assembly to the container having therein material to be processed with the stopper oriented in the first position to allow passage of vapor between said container and the external atmosphere;

processing the material in the container;

moving said cap assembly and said stopper to a second position to close the container and prevent the passage of vapor; and

removing said cap assembly from the closed container.

23. (Withdrawn) The method of claim 22, wherein said attaching provides a hermetic seal between said cap assembly and said container.

24. (Withdrawn) The method of claim 22, wherein said processing comprises at least one method selected from the group consisting of evaporative drying, sublimation drying, cell culturing, fumigation, mixing under controlled atmosphere and reacting under controlled atmosphere.

25. (Withdrawn) The method of claim 22, wherein said processing comprises freeze-drying.

26. (Withdrawn) The method of claim 22, wherein said stopper is held within said cap assembly.

27. (Currently amended) A cap assembly comprising:

a multiple component body including a removable housing sealed to a conformable base having a recess for sealing to an internally housed container, [[and a]] said housing forms a vapor path opening for vapor passage between the container and an external atmosphere; and

a venting media configured to seal with the conformable base of the body and oriented in said vapor path forming a barrier isolating the container from the external atmosphere, during drying processes.

28. (Previously presented) The cap assembly of claim 27 further comprising a top covering.

29. (Previously presented) The cap assembly of claim 28 wherein the top covering is sealed to the venting media.

30. (Previously presented) The cap assembly of claim 28 further comprising a gasket between the top covering and the venting media.

31. (Currently amended) A cap assembly for a ready to fill vial comprising:
a multi component cap comprising a housing having a top and bottom and sealed to a section having a recess for sealing to a container and a vapor path opening for vapor passage between the container and an external atmosphere;

a venting media configured to seal with the top of the housing of the cap and oriented in said vapor path forming a barrier isolating the container from the external atmosphere; and

a self-sealing stopper seated in a first position for maintaining a seal with the vial, said first position further allowing the vial to be pierced and filled with a liquid, said stopper being movable to a second position to allow passage of vapor between the container and the external atmosphere.

32. (Currently amended) A removable sealing and barrier device compatible with stopper and vial assemblies comprising:

a cap comprising a removable housing sealed to a conformable section having an internal recess for sealing around a container opening, said cap forms ~~opening~~ [[and]] a vapor path ~~opening~~ for vapor passage between the container opening an external atmosphere; and

a venting media configured to seal with the housing of the cap and oriented in said vapor path forming a barrier isolating the container from the external atmosphere; and

a self-sealing stopper within the internal recess of the cap and seated in a first position for maintaining a seal with the vial, said stopper being modulated to a second position to allow passage of vapor between the

container and the external atmosphere, wherein said venting media is removable to expose sealed stopper.

33. (Currently amended) A processing cap assembly comprising:

a cap having a top and bottom an interior recess adapted for sealing around a container opening and for positioning a stopper in proximity to the container opening, said cap forms ~~providing~~ a vapor path ~~opening~~ for vapor passage between the container and an external atmosphere when the container is in an unsealed state;

a venting media configured to seal with the top of the cap and oriented in said vapor path forming a barrier isolating the container from the external atmosphere; and

a lid sealed to the venting media.

34. (Previously presented) The removable processing cap of claim 33 wherein the lid is sealed to the media via a heat seal.

35. (Previously presented) The removable processing cap of claim 33 wherein the lid is sealed to the media via a gasket seal.

36. (Previously presented) The processing cap of claim 33 wherein the venting media comprises polytetrafluoroethylene.